



# POLICY

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| <b>Approved by:</b> Rebecca R. Hunter, Commissioner  | <b>Policy Number:</b> 14-001 (Rev. 2/15) |
| <b>Signature:</b>  | <b>Supersedes:</b> 13-001; 14-001        |
| <b>Application:</b> Executive Branch Agencies, HR Officers, Supervisors, Managers, and Participating Employees | <b>Effective Date:</b> February 1, 2015  |
| <b>Authority:</b> T.C.A. § 4-3-1703; T.C.A. § 8-30-104   | <b>Rule:</b> Chapter 1120-02             |

**Subject:**

## Telework

### I. Definition

A flexible workplace program [herein after “Telework”] provides employees the opportunity to work at a place other than the regularly assigned duty station such as satellite locations or their residences. Telework is a work arrangement that is discretionary on the part of management, and voluntary on the part of the employee. Participation in Telework is NOT an employee right or entitlement. There are two types of Telework arrangements within the State of Tennessee Executive Branch [State]:

- A. **Regular.** Work is scheduled in advance and performed at the alternate workplace on a regular and recurring basis. The number of days scheduled at the Telework site may vary from one or more days per week depending on the approved program agreement and may, at the determination of the Agency, include regular scheduled work time at an Agency-provided workspace. Normally, a Telework employee’s weekly work schedule days will be the same from week to week.
- B. **Episodic.** Available on an ad hoc, short-term basis to complete projects, which are not regular or recurring in nature. Remote work, work which the employee occasionally takes home with supervisor’s approval, is not considered Telework as defined in this policy.

An employee’s official duty station shall remain the location where the participating employee spends the majority of their work time.

### II. Advantages

The State promotes Telework for qualifying State employees to support a productive and performance-driven State workplace by accommodating the balance between work and life responsibilities. Telework provides:

- A. **Employees’ advantages:**
  - Reduced travel time

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- Reduced costs (gas, parking, dry cleaning)
- Increased job satisfaction
- B. State advantages:
  - Reduced costs (office and parking space, equipment)
  - Established business continuity during times of emergency
  - Attracting and retaining a highly qualified workforce
  - Reduced absenteeism and turnover
  - Improved customer service
- C. Society advantages:
  - Reduced traffic congestion
  - Improved air quality and energy conservation

### **III. Scope**

This policy applies to situations in which an employee works at a Telework site and covers all full-time employees as allowed under provisions of this policy. This policy does not pertain to a condition of employment requiring an employee to work from home.

### **IV. Responsibilities**

- A. Appointing Authorities must:
  - 1. Decide on the application and use of Telework assignments within their respective Agency. This includes, on a case-by-case basis, determining which organizational work units and/or job classifications/positions may participate in the program or be excluded from participation in the program. For further guidance, read the Job Specification for Preferred Service positions; and
  - 2. Appoint the Agency Human Resources Office to ensure appropriate management controls and reporting procedures are in place before employees begin Telework assignments.
- B. Managers and Supervisors must:
  - 1. Assess the impact of the proposed Telework assignment on the productivity of the office as a whole and on any other affected employees;
  - 2. Assess the portability of the employee's work and the likelihood of the employee successfully completing it offsite;
  - 3. Evaluate the employee's job performance against performance standards established in the employee's individual performance plan. The plan must clearly define agency's expectations of the Teleworker's participation;
  - 4. Approve or disapprove worksite agreements [which shall remain the same unless otherwise approved by the supervisor];
  - 5. Approve or disapprove the employee's participation in the program;
  - 6. Provide equipment, when necessary and available, for the employee to adequately perform assigned work;
  - 7. For supervisors, complete SMART Job Performance and Telework training [see Section V., Part M. "Training"]; and
  - 8. Maintain productivity records and information to evaluate the employee's performance and quality of work.
- C. Participating Employees must:
  - 1. Complete all work agreements during agreed-upon hours of work in accordance

- with established Telework policies;
2. Abide by all State and Agency policies, including requesting leave;
  3. Safeguard Agency equipment and use it only for official purposes;
  4. Complete the "Telework Productivity Report" [see form in attached Appendix] and return it to the supervisor on a periodic basis as determined by the Agency and participant's supervisor. The agency may substitute their own productivity report;
  5. Serve as the designated official [employer representative] in charge of their off-site workplace, and therefore be responsible for compliance with appropriate health and safety regulations. As the designated official the employee must:
    - a. Complete the "Employee Self-Certification Safety Checklist," which identifies significant safety standards that should be met,
    - b. Return it to his/her supervisor prior to entering into the Telework Program Agreement, and
    - c. Periodically, as determined by the agency, update the safety checklist.
  6. Respond in a timely manner to Agency customers and to the public as determined by the supervisor/manager;
  7. Complete required training [see Section V. Part M. "Training"];
  8. Agree to software installation on workstation (laptop, desktop, etc.) to monitor work time and assignments; and
  9. If applicable, make proper arrangements for dependent care during Telework hours before beginning the Telework assignment.
- D. Agency Human Resources Office must:
1. Review and approve for the appointing authority all Telework Program Agreements;
  2. Maintain copies of all Telework Applications, Telework Program Agreements, Employee Self-Certification Safety Checklists, Annual Recertification of Eligible forms, and Telework Notice of Cancellation forms; and
  3. Ensure that all participating employees, supervisors, and managers receive training and are aware of their responsibilities.

## **V. Guidelines**

- A. Eligibility Requirements for Regular Telework.
1. Have received the supervisor's approval for participation;
  2. Have worked as an Agency employee for at least one year; however, previous State service may be considered by the Agency in determining this requirement;
  3. Have a SMART job performance plan;
  4. Have at least an overall "valued" performance rating as the most recent rating of record;
  5. Have clearly defined performance standards and metrics;
  6. Have no pending personnel related disciplinary action;
  7. Have had no personnel related disciplinary action taken within the past twelve [12] months;
  8. Have portable work as approved by the supervisor;
  9. Be willing to sign and abide by a written Telework Program Agreement;
  10. If working at home, be able to provide an appropriate work location with adequate space, access to a telephone, and without undue interruption which could impact productivity;
  11. If applicable, arrange for dependent care during the time the teleworker is working at

home. A teleworker may not provide for dependent care while teleworking, and  
12. Have demonstrated to the satisfaction of the supervisor the ability to work independently.

B. Eligibility Requirements for Episodic Telework.

Eligibility requirements are the same as for the Regular Telework; however, the nature of the work will usually be a project or a discrete portion of a project that is of short duration, with measurable work products of an infrequent or occasional nature.

C. Telework Program Agreements.

Each employee must sign a work agreement that covers the terms and conditions of participation in the Telework Program [see form in attached Appendix]. The work agreement constitutes an agreement by the employee and his/her supervisor to adhere to the Telework Program's policies. Supervisors must recertify an employee's work agreement at least once every twelve [12] months [see form in attached Appendix].

The work agreement covers the following items:

1. Voluntary nature of the arrangement;
2. Length of Telework assignment;
3. Hours and days of duty designated for each duty station [Telework and Agency owned];
4. Location of the official duty station;
5. Responsibilities for timekeeping, leave approval, and requests for overtime and compensatory time;
6. Performance requirements; and
7. Use and safeguards of State property and records, standards of conduct, etc.

D. Work Schedules.

Telework work schedules must specify the days and times an employee will work in his/her regularly assigned duty station and in the Telework work site. Work schedules may parallel those in the office or be structured to meet the needs of participating employees and their supervisors/managers. However, employees' work schedules must be consistent with the core work day of the Agency and will not include non-standard evening and weekend schedules. Supervisors must approve overtime and compensatory time in advance. Supervisors may approve variations to the work schedule on a case-by-case basis, which must also be approved by the appointing authority.

E. Position and Performance Issues.

1. Position Descriptions. Changes to position descriptions are not necessary unless the Telework arrangement changes the actual duties performed. Minor modifications may be made to reflect the supervisory controls or work environment factors.
2. Performance Standards. Critical elements and performance standards must have clearly defined performance requirements that are quantifiable, measurable, and result-oriented. Explicit and objective "norms" for work output should be based on

experience with those required and sustained in the office and monitored through scheduled and required progress reports.

**F. Records Management.**

State employees are required to comply with the following guidelines on using records or duplicating records when working at Telework locations. During an investigation, all relevant records must be made available to investigators and auditors.

1. Any official record removed for Telework assignments remains the property of the State. Additionally, any official record that is generated from Telework assignments becomes the property of the State.
2. An employee must get written approval from his/her supervisor prior to taking official records to a Telework work site. This approval will be valid for a defined period of time. All official records that are moved from an office location to a Telework work site will be documented in accordance with applicable procedures or requirements, e.g., charge-out procedures, check-out cards, sign-out sheets, etc., as determined by the Agency.
3. The removal of sensitive information for Telework assignments is subject to supervisory approval. When such records are used by Agency employees at a Telework site, care must be taken to ensure that information is not disclosed to anyone except those who are authorized to access the information in order to perform their duties. Appropriate administrative, technical, and physical safeguards must be taken to ensure the security and confidentiality of these records.
4. At the conclusion of the approved charge-out time of the Telework assignment, or upon termination of employment, the employee must return the official record to the supervisor or manager. If the employee needs this record to complete future Telework assignments, he/she must again get written approval from the supervisor, prior to removal of the record from the office.
5. Confidential business information may not be removed from State offices except as permitted and authorized by established State and Agency procedures.

**G. Time and Attendance Issues.**

1. Hours of Duty. An employee's schedule depends upon the agreement between the employee and the supervisor. Employees must work schedules consistent with their offices' core work hours and may not work non-standard evening and weekend schedules. The appointing authority may grant exceptions on an individual basis.
2. Leave. Policies and divisional practices for requesting annual leave, sick leave, or other absence from duty remain unchanged. Teleworkers are responsible for requesting leave in advance and keeping their supervisor/timekeeper informed of leave usage.
3. Certification and Control of Time and Attendance. Supervisors must report time and attendance to ensure that employees are paid only for work performed and that absences are properly documented. State policy and procedures governing certification of time and attendance require agencies with employees working at remote sites to provide reasonable assurance that they are working when scheduled. Reasonable assurance may be obtained by occasional supervisor telephone calls; random visits by the supervisor, manager, or Agency Director of

Human Resources to the employee's work site; and determination of the reasonableness of work product. Supervisors and employees must follow Edison time reporting procedures and/or other time reporting requirements as determined by the Agency.

4. Daily Productivity Report. Telework participants are required to complete and submit to their supervisor a "Telework Productivity Report." A report must be completed on a periodic basis as determined by the Agency and the participant's supervisor. [A copy of the "Telework Productivity Report," which may be modified by the employing Agency, is included in the Appendix of this policy.] The purpose of the productivity report is to sufficiently document work performed by the Telework participant so that a reasonable person could understand the amount and level of work performed. The supervisor and participant are responsible to ensure this report is completed in a sufficient manner and submitted on a regular basis.
  5. Emergency Situations. Although a variety of circumstances may affect individual situations, the policies governing leave and the closing of State offices remain unchanged. The ability to conduct work, whether at the Telework work site or at the office, determines when an employee may be excused from work.
    - a. When situations arise that require closing of an Agency office that is the participating Telework employee's official duty station, the Telework employee will be excused if regular employees are excused.
    - b. When an emergency affects only the Telework site [i.e., power outage, no telephone service, unavailability of the network, etc.], the Telework employee is expected to report to the State owned work site or request supervisory approval of annual leave, compensatory time, leave without pay, etc.
  6. Travel. The Agency will reimburse Telework employees for travel expenses according to the State's Comprehensive Travel Regulations.
- H. Fair Labor Standards Act [FLSA].  
The Fair Labor Standards Act governing overtime also applies to Telework arrangements. All overtime work for employees in Telework assignments must be approved in advance by the supervisor or manager. An employee who works overtime without advanced supervisory approval may be removed from the Telework program.
- I. Workers' Compensation Coverage.  
Telework employees are covered by the State Division of Claims. Employees can qualify for continuation of pay or workers' compensation for on-the-job injury or occupational illness if injured in the course of performing official duties at the Agency provided work space or the approved Telework location. Supervisors must ensure that claims of this type are immediately brought to the attention of the Agency's Human Resources Office, the employee's supervisor, and other Agency officials as determined by the Agency.

- J. Pay. Normal pay rules apply whether work is accomplished at the Agency provided work site or the Telework site. Working outside the employee's scheduled work hours requires pre-authorization by the supervisor, whether working at the Agency provided work site or at a Telework site.
- K. Facilities.
1. Home Office Space. If working at home, employees participating in Telework should have a designated work space or work station. Requirements will vary, depending on the nature of the work and the equipment needed to perform the work.
  2. Home Utility Expenses. Incremental home utility costs associated with working at home will not be paid by the State/Agency. Exceptions apply only where the personal expense directly benefits the State [e.g., business-related long distance or toll calls on the employee's personal phone].
  3. Miscellaneous Expenses. Costs associated with the copying of work-related materials, facsimile charges, express mail, etc., may be reimbursed by the Agency, depending upon Agency policy. The Agency may provide postage for mailing purposes in advance in lieu of reimbursement. [See section V., Part L. "Equipment", Subpart 3. "Supplies"]
  4. Workplace Is Not A Government Facility. While the Agency may own some of the equipment and materials used by the employee in the Telework site, the employee agrees and understands that the Telework site is not a State/Agency facility, and that costs of safeguarding, insuring, and maintaining the home workplace and the State property therein are the sole responsibility of the employee.
- L. Equipment.
- The Agency may provide appropriate equipment, when it is available and subject to normal budget requirements, for employees to perform work at the Telework site. While the use of non-State owned equipment is permissible, Teleworkers and their agencies must be in compliance with all Enterprise Information Security Policies. <http://intranet.state.tn.us/finance/oir/security/policy.html>
1. Telephone. Teleworkers shall, when possible, use an IP desk phone or soft phone connected to the State's phone system. See connectivity requirements below. An Agency may provide cell phones, telephone credit cards, or may reimburse an employee working under an approved Telework Agreement for business-related long distance and toll phone calls on his/her personal phone. An Agency may install telephone service and other necessary equipment and pay monthly telephone charges in private residences under special circumstances. An Agency will only pay for business-related telephone charges.
  2. Computers, Agency Owned Equipment, etc. The State may provide equipment and materials needed by employees to effectively perform their duties. However, with the approval of the Agency and F&A Office for Information Resources [OIR], employees may be authorized to use their own equipment.
    - a. State Owned or Issued Equipment.

- State owned or issued equipment may be used only for authorized State purposes by authorized employees.
- Employees are responsible for protecting State owned equipment from theft, damage, and unauthorized use.
- b. Maintenance.
  - State owned equipment used in the normal course of employment will be maintained, serviced, and repaired by the State.
  - Agencies should stipulate who is responsible for transporting and installing equipment, and for returning the equipment to the central workplace for repairs or service.
  - When employees are authorized to use their own equipment, Agencies will not assume responsibility for the cost of equipment, repair, or service.
- c. Connectivity.
  - Telework employees must have active Broadband (DSL or cable internet connection with a 3mb minimum. 4G is acceptable. Satellite connectivity is unacceptable). Telework employees are responsible for procuring and maintaining their broadband connectivity.
  - If connection to the State network or an IPT phone is used, a Virtual Private Network (VPN) will be required.
- d. Security.
  - Equipment provided by the State will follow State desktop/laptop standards. Currently, all laptops are required to be encrypted. If desktops are provided to Telework employees, they must be encrypted.
  - If it is necessary for a Telework employee to use personal equipment, they must agree to the Department of Finance & Administration's Personal Device Usage Policies or other similar policies as determined by the Agency.
- e. Software.
  - Software may be required, as determined by the Agency, for a Teleworker to monitor time and assignments.
  - An Agency phone client may be required.
- 3. Supplies. If needed, the Agency may provide necessary office supplies. The Agency will not reimburse employees for any supplies purchased independently.

M. Training.

Agency Human Resources Office shall provide training for supervisors and participating employees to explain the Telework policy and agreements. All Telework participants must attend training prior to their initial Telework participation.

N. Liability Issues.

Questions related to claims for personal property damage or loss or personal injury related to the employee's performance of official duties should be directed to the Agency's Human Resources Office, employee's supervisor, and other appropriate office as determined by the Agency. The Agency will address issues of employee or Agency



liability in accordance with the specific facts of each case and under the provisions of the State Board of Claims, where appropriate.

O. Tax Issues.

Generally, a Federal tax deduction is not allowed for a home office or workspace unless used exclusively on a regular basis as a principal place of business. Employees, who believe they may be entitled to a tax deduction based on home office or work space, depreciation of employee owned personal computers and related equipment, etc., should consult their tax advisors or the Internal Revenue Service for information on tax laws and interpretations.

## **VI. Application Process and Procedures**

The following language describing application procedures is provided as an example and may be modified to meet specific Agency needs.

- A. Employees meeting the eligibility requirements for Telework may apply for the program provided their organizational units or positions have been authorized by the Agency's appointing authority to participate in the program. These employees must complete the application package [see forms in attached Appendix] and obtain the appropriate approval signatures.
- B. The original signed application package must be forwarded to the Agency Human Resources Office. The Telework participant and his/her supervisor each should retain a copy.
- C. All employees approved to participate in the Telework Program must attend a Telework training session, which provides an overview of the program and the requirements for participation. [See section V., Part M. "Training"]
- D. If a request to Telework is denied, the supervisor or manager will provide written comments on the Telework Program Application form to the employee outlining the reason[s] for the decision. The denial of a Telework application must be based on business-related reasons, documented in writing on the application form, and made available to the employee. The explanation should outline any steps the employee can take to be eligible for reconsideration. The Agency decision is final and cannot be appealed.
- E. All employees must comply with all Enterprise Security Policies located at <http://intranet.state.tn.us/finance/oir/security/policy.html>. Non-compliance with these policies or misuse of State resources could result in user access being terminated immediately by the systems administrator. The user may be subject to subsequent review and action as determined by the Agency or contract administrator. If access is terminated, the Teleworker will be required to report to the Agency provided work site until the matter is resolved.

## **VII. Termination**

- A. An employee may terminate his/her Telework arrangement at any time without prejudice and return to his/her Agency owned work station.
- B. An overall performance review below level "Valued" automatically terminates an employee's Telework arrangement.

- C. The Agency reserves the right to suspend or terminate the arrangement due to any security issue and may, at its discretion, suspend/deny access to any Agency/State program including Edison, etc.
- D. Management retains the right to terminate an employee's Telework participation at any time and for any reason, which includes, but is not limited to, the following:
  - 1. The employee's Telework assignment no longer benefits the Agency;
  - 2. The employee's work assignments are not being performed efficiently or effectively;
  - 3. The employee fails to comply with the agreed-upon program requirements;
  - 4. The employee fails to participate in requested program monitoring and evaluation activities [including surveys, focus groups, etc.]; or
  - 5. The employee has job performance or personal conduct problems arise.The decision is final and cannot be appealed.
- E. The Agency shall take the appropriate disciplinary action, up to and including dismissal from the State service, when it is determined that an employee participating in Telework has falsified work time and/or leave records or for any other job performance or personal conduct issue that the Agency deems appropriate cause.

### **VIII. Change Issues**

- A. Whenever any element of a Telework Program Agreement changes, [e.g., job classification, work assignment, Agency provided work site or Telework site, safety checklist, supervisory personnel changes, etc.], the Telework arrangement must be reevaluated and modified. Examples of such changes include:
  - 1. The employee is reassigned to a different job or organizational unit;
  - 2. The employee's supervisor or manager changes;
  - 3. The employee moves to another house or living quarters; or
  - 4. The safety of the employee's Telework site changes.
- B. Whenever changes occur, the following actions should be taken:
  - 1. If the change results in a new supervisor or new manager for the Telework employee and the employee would like to continue teleworking:
    - a. The employee and supervisor will assess the suitability for Telework and, if approved, a new Telework Program Agreement will be put in place; and
    - b. The supervisor/manager and participating employee will be provided training and given an overview of the employee's current work assignments. [See section V., Part M. "Training"]
  - 2. If the change results from a change in job tasks/assignments, the employee and supervisor must reassess the employee's suitability for Telework and complete a new Telework agreement.
  - 3. If the change results from the employee's move to a different Telework site, the employee must complete a new "Employee Self-Certification Safety Checklist," meet with the supervisor to reassess the suitability for Telework, and, if applicable, complete a new Telework Program Agreement.

## Appendix

[The following forms must be used as is or modified for Agency use.]

**Telework Application Package**

1. Application Form [Initial Application & Recertification Application]
2. Program Agreement
3. Employee Self-Certification Safety Checklist

**Other Attachments**

4. Productivity Report
5. Notice of Cancellation

**Telework Program Application Form**

[page 1 of 2]

|  |                   |
|--|-------------------|
| Employee Name:   | Edison Empl ID #: |
| <input type="checkbox"/> Initial Application* <input type="checkbox"/> Recertification |                   |
| Agency/Division/Office/Work Unit:  | Job Title:        |
| Telework Address:  | Home Telephone #: |
| First Line Supervisor:   | Telephone #:      |
| Manager: [Supervisor's supervisor]   | Telephone #:      |

\*An "initial application" is required anytime an employee is applying for Telework or when a "change issue" occurs as per provision "VIII. Change Issues" outlined on page 11.

**Type of Telework Applied for:** ☐ Regular      ☐ Episodic

Regular – \_\_\_\_\_ days per week.

Type of work to be performed at Telework site. [Be specific. If more space is needed, use the Comments Section below or continue on a separate sheet of paper.]

Briefly describe how you meet the criteria for participation.

Comments:

|                              |   |
|------------------------------|---|
| <b>DOHR Policy: Telework</b> | <b>Policy Number: 14-001</b><br>(Rev. 2/15) |
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|                     |       |
|---------------------|-------|
| Employee Signature: | Date: |
|---------------------|-------|

### Action on Application

|   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Approved.  | <input type="checkbox"/> Disapproved. |
| Reason for Disapproval:   |                                       |
| Supervisor's Signature:   | Date:                                 |
| Agency Human Resources Director Signature:  | Date:                                 |
| <p>If employee is approved for Telework participation, provide employee and timekeeper with a copy of this form and send the original to the Agency Human Resource Office.</p> <p>If employee is disapproved for Telework participation, the supervisor/manager must inform the employee of the reason[s] for disapproval. The Agency decision is final and is not subject to further review.</p> |                                       |

[page 2 of 2]

## Telework Program Agreement

All terms set forth in the State's Telework Policy ["Telework Agreement"] are hereby incorporated by reference in this work agreement.

Employee Name:

Edison Emp ID#:

1. Employee agrees to adhere to policy, guidelines, and the Telework Agreement, with policy taking preference. The Agency concurs with employee participation and agrees to adhere to policy, guidelines, and Telework Agreement, with policy taking preference.
2. Agency provided work site.

Agency Provided Work Site:

Telework Site Location: [the location which the employee is designated to work while not at the Agency provided work site]

3. Attach a completed copy of the "Employee Self-Certification Safety Checklist" that describes the designated work area in the Telework site location.
4. The employee's timekeeper and supervisor will have a copy of the employee's Telework schedule. Employee's time and attendance will be recorded as Telework time using a special Edison time reporting code [TRC] established for this purpose. The employee's supervisor will certify the time and attendance for hours worked. The employee must complete a "Productivity Report" [see Appendix] and return it to his/her supervisor on a periodic basis as determined by the Agency.
5. Employees performing work at the Telework site location will follow established procedures for requesting and obtaining approval of leave.
6. Employees performing work at the Telework site are subject to the same maximum workday limits as they would be if they were performing work at the Agency provided work site. Employees performing work at the Telework site are not authorized to work overtime or compensatory time except in special circumstances as determined by the supervisor. In these situations, prior approval must be obtained from the supervisor.
7. An employee who is authorized to use Agency equipment will protect the Agency equipment in accordance with the procedures. An employee who provides his/her own equipment is responsible for installing, servicing, and maintaining it. Teleworkers must be in compliance with all Enterprise Information Security Policies. <http://intranet.state.tn.us/finance/oir/security/policy.html>
8. An employee must attend any meetings as directed by the Agency/State and participate in Telework surveys and/or requests for information.
9. Questions related to claims for personal property damage or loss or personal injury related to the employee's performance of official duties should be directed to the employee's supervisor, Agency's Human Resources Office, or other Agency office as determined by the appointing authority. The Agency will address issues of employee or Agency liability in accordance with the specific facts of each case.
10. The Agency will not be responsible for operating costs, home maintenance, homeowners or renters insurance, or other residential costs except, when available and subject to normal budget requirements, the Agency may install and pay the cost for authorized telephone expenses [including long distance calls] incurred for official Agency business.
11. The Agency may provide necessary office supplies that are regularly available at the Agency. The Agency will not reimburse an employee for any supplies purchased without prior approval from the supervisor.
12. The Agency may, at its discretion, provide cell phones, telephone credit cards, or may reimburse an employee working under an approved Telework Agreement for business-related long distance calls on his/her personal phone. The Agency may install telephone service and other necessary equipment and pay monthly telephone charges in private residences under special circumstances. The Agency reserves the right to determine the most cost-effective manner of covering telecommunications costs.
13. Employees are expected to plan for and accomplish necessary photocopying, mail, and facsimile transmissions at the Agency provided work site. In emergency situations, and with the prior approval of the supervisor, costs associated with the copying of work-related materials, facsimile charges, express mail, etc., may be reimbursed.
14. The employee is covered under the State Division of Claims if injured in the course of performing official duties at the Agency owned duty station or the Telework work site location, in accordance with applicable regulations and standards governing Division of Claims liability. [NOTE: Any accident or injury occurring at the Telework site must be brought to the immediate attention of the supervisor and the Agency's Human Resources Office. Because an employment-related accident sustained by an employee participating in the Telework Program could occur outside the premises of the official duty station, the supervisor must investigate all reports immediately following

notification.]

15. The employee must complete an "Employee Self-Certification Safety Checklist," which identifies significant safety standards that should be met, and submit it to his/her supervisor prior to participating in the Telework Program. The employee must provide updates as needed.

16. The employee will communicate, as determined by the supervisor, with his/her supervisor to receive job assignments and have completed work reviewed in accordance with the supervisor's instructions.

17. The employee will complete all assigned work in accordance with his/her supervisor's instructions. Progress reviews may be used by the supervisor in his/her assessment of the employee's job performance evaluation consisting of SMART goals. The supervisor will evaluate employee's job performance against performance standards established in the employee's performance agreement.

18. To participate in the Telework Program, an employee must have a performance rating of at least "Valued" on the employee's most recent overall performance evaluation rating.

19. The employee agrees to use approved safeguards to protect Agency records from unauthorized disclosure, damage, or release of confidential business information and to comply with all requirements set forth by the Agency and State laws, rules and regulations, and policies.

20. An employee may terminate his/her Telework arrangement at any time without prejudice and return to his/her Agency provided work site. Employee notice to the supervisor should be in writing and acknowledged by the supervisor to prevent misunderstandings about the employee's work location.

21. The Agency may remove an employee from the Telework Program based on any business-related reason as determined by the Agency. When a decision is made to remove an employee from the Telework Program, the employee must be given written or electronic notice indicating the reason[s] for removal. The employee may reapply for Telework Program participation one year after removal from the Program, provided that her/his performance and conduct are fully satisfactory, and the employee meets all other eligibility requirements.

22. The employee agrees to perform his/her officially assigned duties at the Agency owned duty station, the approved Telework site location, or while on official travel. Failure to comply with this agreement may result in administrative action, such as charge of leave, suspension, termination of participation in the program, termination from State service, or other disciplinary action, as warranted, based on the situation.

23. The employee agrees not to conduct unauthorized personal business while in official duty status at the Telework site [e.g., dependent care, home repairs, and real estate transactions]. The employee agrees to arrange for any dependent care and other personal responsibilities so as to ensure that the employee can work without interruption. Telework is not a substitute for dependent care.

24. This Agreement does not restrict the employee's right to change schedules in accordance with existing agreements. If a permanent change of schedule is approved, the schedule in the application package will be changed accordingly and initialed by both the employee and the supervisor. Such changes shall not be made on a day by day or other short-term basis.

25. The employee and the supervisor agree to attend the required training and orientation prior to participation in the Telework Program.

26. An employee must be willing to report to the Agency provided work site without delay at the request of the supervisor.

I have read and understand all the provisions of this work agreement and agree to abide by them.

|                     |       |
|---------------------|-------|
| Employee Signature: | Date: |
|---------------------|-------|

The Agency concurs with the participation of this employee and agrees to adhere to the provisions of this agreement. Approved by:

|             |          |              |
|-------------|----------|--------------|
| Supervisor: | Manager: | HR Director: |
|-------------|----------|--------------|

## Telework Employee Self-Certification Safety Checklist

The following checklist is designed to assess the overall safety of the Telework site and must be completed, signed by participating employee, and given to your supervisor with your application for the Telework program.

| Print Name & Sign – Participating Employee:   | Yes | No | N/A | Comments |
|---|-----|----|-----|----------|
| 1. Is the space free of asbestos-containing material?   |     |    |     |          |
| 2. If asbestos-containing material is present, is it undamaged and in good condition? [only check if applicable]  |     |    |     |          |
| 3. Does the space appear to be free of indoor air quality problems?   |     |    |     |          |
| 4. Is the space free from excess noise?   |     |    |     |          |
| 5. Is there a potable [drinkable] water supply system in place?   |     |    |     |          |
| 6. Is adequate ventilation present for the desired occupancy?   |     |    |     |          |
| 7. Are bathroom[s] available with hot and cold running water?   |     |    |     |          |
| 8. Are all stairs with four or more steps equipped with handrails?  |     |    |     |          |
| 9. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?  |     |    |     |          |
| 10. Do circuit breakers clearly indicate if they are in the open or closed position?  |     |    |     |          |
| 11. Is all electrical equipment free of recognized hazards that would cause physical harm [frayed wires, bare conductors, loose wires, flexible wires running through walls, exposed wires fixed to the ceiling]? |     |    |     |          |
| 12. Will the building's electrical system permit the grounding of electrical equipment?   |     |    |     |          |
| 13. Are aisles, doorways, and corners free of obstructions to permit visibility and movement?   |     |    |     |          |
| 14. Do file cabinets and storage closets open so they do not obstruct walkways?   |     |    |     |          |
| 15. Do chairs have well-fixed [not loose] casters/wheels?   |     |    |     |          |
| 16. Are the rungs and legs of chairs sturdy?  |     |    |     |          |
| 17. Are the phone lines, electrical cords, and extension wires safely secured?  |     |    |     |          |
| 18. Is the office space free of combustible materials?  |     |    |     |          |
| 19. Is there adequate electrical lighting to accomplish work assignments?   |     |    |     |          |
| 20. Are floor surfaces clean, dry, and level?   |     |    |     |          |
| 21. Are carpets well secured to the floor and free of frayed or worn seams?   |     |    |     |          |
| 22. Are there any other known safety issues that should be addressed for this work space? If so, list on the back and note if there are safety concerns.  |     |    |     |          |

Signing this form does not guarantee that the Telework site is hazard free, but does verify that the employee has made a reasonably careful inspection for potential hazards. Employees are responsible for informing their supervisors of any changes to their Telework site, which could impact on health and safety of the employee and others.

|             |          |              |
|-------------|----------|--------------|
| Supervisor: | Manager: | HR Director: |
|-------------|----------|--------------|



## Telework Productivity Report

Telework participants will document work performed outside the workplace using this report. Agencies may modify this report or develop a new one. Required documentation must be sent to the Telework participant’s supervisor on a periodic basis, as determined by the Agency.

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### ***Employee Information***

Employee Name:

Department:

Division:

Report Start Date:

Report End Date:

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### ***Short Term/Long Term Projects***

Project

Due Date

Progress

***Daily Accomplishments*** (to include accomplishments not addressed in the “Short Term/Long Term Projects” listed above).

[Note: See Telework Policy, Page 6, Section V, “Guidelines,” part G.4, “Productivity Report”]

## Telework Notice of Cancellation

|                              |   |
|------------------------------|---|
| <b>DOHR Policy: Telework</b> | <b>Policy Number: 14-001</b><br>(Rev. 2/15) |
|------------------------------|---|

|                           |
|---------------------------|
| Date:                     |
| To: [Employee's Name]     |
| From: [Supervisor's Name] |

**Subject:** Cancellation of Employee Participation in Agency's Telework Program.

I am rescinding your participation in the Agency's Telework Program effective \_\_\_\_\_.  
[Date]

The decision is final and cannot be appealed. The reason[s] of my decision is as follows:

You may reapply for participation in the Telework program no sooner than twelve [12] months from the date of this notice, provided that your position continues to be in an organizational unit that may participate, you received at least a "Valued" on your final job performance review, and all other eligibility requirements for participation are met.

|   |       |
|---|-------|
| Supervisor's Signature:   | Date: |
| Received by:<br>Signature of Employee:<br><br>[Employee's signature does NOT imply agreement] | Date: |
| Agency Director of Human Resources Signature:   | Date: |